

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA)

v.)

BRAD BOISEN)

Case No. 1:21-MJ- 243

U.S. DISTRICT COURT - N.D. OF N.Y.

(CFH)

FILED

Apr 23 - 2021

AT 3 O'CLOCK 15 MINUTES

John M. Domurad, Clerk

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 21, 2021 in the county of Albany in the Northern District of New York the defendant violated:

Code Section

18 U.S.C. §§ 1591(a)(1) and 1594(a)

Offense Description

Knowingly, in or affecting interstate or foreign commerce, attempting to recruit, entice, harbor, transport, provide, obtain, advertise, maintain, patronize, or solicit by any means a person, knowing or in reckless disregard of the fact that the person has not yet attained the age of 18 and will be caused to engage in a commercial sex act.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.




Complainant's signature

FBI TFO Chris R. Smith

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: April 23, 2021



Judge's signature

City and State: Albany, NY

Hon. Christian F. Hummel, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

**AFFIDAVIT IN SUPPORT OF A CRIMINAL
COMPLAINT**

I, **Chris R. Smith**, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a criminal complaint and arrest warrant charging Bard Boisen (“BOISEN”), with attempted sex trafficking of a child, in violation of Title 18, United States Code, Sections 1591(a)(1) and 1594(a).

2. I am a Task Force Officer with the Federal Bureau of Investigation (“FBI”) and have been since 2012. I have been a member of the Colonie Police Department since 2004 and an Investigator since 2009. In that capacity, I assist with sexually based offenses and computer crimes. I am currently assigned to the Capital Region Child Exploitation and Human Trafficking Task Force in Albany, NY, which targets individuals involved in the on-line sexual exploitation and trafficking of children. As a member of this task force, I investigate crimes involving the sexual exploitation of minors, including sex trafficking of minors and various criminal offenses related to the production, distribution, receipt, and possession of child pornography. I am currently investigating federal violations concerning the sexual exploitation of children, and the sex trafficking of children. I have gained experience regarding such crimes through training in seminars, classes, and everyday work related to conducting these types of investigations.

3. I am an investigative or law enforcement officer of the United States within the meaning of Title 18 United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516(1). As an FBI Task Force Officer, I am authorized to seek and execute federal arrest and search warrants for Title 18 criminal offenses, including offenses related to the sex trafficking of minors, in violation of Title 18, United States Code, Section 1591(a)(1) and 1594(a).

4. The statements contained in this affidavit are based upon my investigation, information provided by other law enforcement officials and on my experience and training as a Task Force Officer with the FBI. As this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that BOISEN has violated Title 18, United States Code, Section 1591(a)(1) and 1594(a).

DETAILS OF THE INVESTIGATION

5. On or about April 20, 2021, a law enforcement officer acting in an undercover capacity (hereinafter the "UC") maintained a profile on Application A – an online social networking platform – as an adult female. The biography section of the UC's profile read, "hi. 2

girls visiting the albany area and looking for some help. will do whatever. Thanks.” The UC’s profile picture was digitally altered to look like a young teenager.

6. On April 21, 2021, an Application A user named “Brad” first messages the UC through the Application’s direct messaging feature and says, “Hey, whatcha need.” The UC responds, “Money” to which Brad asks, “how much.” The UC tells Brad that depends on “wat u want ..” Brad clarifies, “There are two of you, correct?” and the UC informs Brad that “One is taken ... The other is in the pictures.” Brads tells the UC that he wants “both of you girls to have a little fun.” When the UC informs Brad that she is already taken, Brad replies, “Well then, we’ll have to push that fact to the side.” The UC tells Brad to “Have a good day.” Brad then writes, “If you can hook me up with the other girl, I’ll just take her.” The UC tells Brad that “she is young. If u can do it today send ur number. If not have a good day.” Brad then messages the UC his telephone number and asks “How young?” The UC responds, “If u need to ask it’s too young. Thanks anyway [...]” Brad replies, “No, its fine, I’m just a curious person.” Brad then asks the UC to “Text me asap though.”

7. The UC sends Brad a text message to the number he provided a few minutes later. In these messages, the UC tells Brad, “Hey ... I don’t want no issues and I didn’t want to say it on the app ... [undercover name] is 14. if that’s an issue its cool but i don’t wanna waste any time talkin to u.” Brad responds, “No it’s fine” and asks for another picture of the 14 year old. The UC sends Brad a picture of an adult female digitally altered to look like a young teenager. Brad responds, “Very cute. First time for her?” The UC writes, “No ...its not... Let me know what u want and ill tell you how much.” Brad replies, “Oral and vaginal sex.” The UC says, “Ok that’s 100...” The UC and Brad agree that Brad will pay the UC half of the money up front,

then “she gets in ur car...When u are done u give me the other.” Brad says “Easy enough.” The UC again asks Brad, “are u ok with her bein 14 I don’t want no issues or problems...just want money...” Brad responds, “Totally fine with it hun.”

8. On April 21, 2021, Brad arrives to the predetermined meeting location. He texts the UC, “I only have \$60 could not pull the full hundred. Is she good to at least ride me or something?”¹ The UC responds, “Thats fine...” The UC then walks up to Brad’s car, and Brad hands the UC \$30.. Brad is then arrested and identified by law enforcement officers as Brad BOISEN. Law enforcement officers read BOISEN his *Miranda* warnings, which he waives. In a video and audio recorded interview with law enforcement officers, BOISEN admits that he paid the UC “half up front” to engage in what would “either be oral or vaginal” sex with a 14 year old.²

CONCLUSION

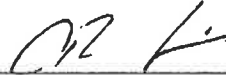
9. Based upon the above information, I believe probable cause exists that Brad BOISEN has violated Title 18, United States Code, Sections 1591(a)(1) and 1594(a), by in and affecting interstate commerce, attempting to patronize a person, knowing that person had not attained the age of 18, and would be caused to engage in a commercial sex act. Accordingly,

¹ In my training and experience, the term “ride me” is slang for vaginal sex where the female is on top.

² At first, BOISEN stated that he only intended to engage in sexual acts with the adult UC and not the 14 year old. BOISEN then admitted that he was “ashamed of himself to admit it out loud” and that this was the “first time” that he ever tried to have sex with a minor.

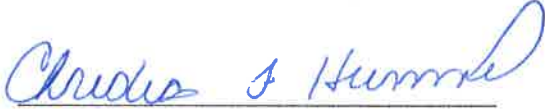
your Affiant requests that a criminal complaint be issued pursuant to these violations of federal law.

Respectfully submitted,



Chris R. Smith
Task Force Officer
FBI

I, the Honorable Christian F. Hummel, United States Magistrate Judge, hereby acknowledge that this affidavit was attested to by the affiant by telephone on April 23, 2021 in accordance with Rule 41 of the Federal Rules of Criminal Procedure.



Hon. Christian F. Hummel
UNITED STATES MAGISTRATE JUDGE